

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

CYNTHIA M. FREY (CABN 150571)
Assistant United States Attorney
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
E-Mail: Cynthia.Frey@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. 09-0442 JSW
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER EXCLUDING TIME BETWEEN
v.)	MAY 14, 2009 AND JUNE 4, 2009 FROM
)	CALCULATIONS UNDER THE SPEEDY
JOSE MUNROY-GARCIA,)	TRIAL ACT (18 U.S.C. § 3161)
a/k/a JOSE MONROY,)	
a/k/a JOSE GARCIA MONROY,)	
a/k/a LORENZO LOZANO VILLA,)	
a/k/a JONATHAN PERAZA,)	
)	
)	
Defendant.)	

The defendant, Jose Munroy-Garcia, represented by Loren Stewart for Geoffrey Hansen, Assistant Federal Public Defender, and the government, represented by Cynthia M. Frey, Assistant United States Attorney, appeared before the Court on May 14, 2009 for a trial setting conference. This matter was continued to June 4, 2009 for a trial setting or possible change of plea.

Defense counsel requested that time be excluded under the Speedy Trial Act between May 14, 2009 and June 4, 2009 for purposes of continuity of and effective preparation of

STIPULATION AND ~~PROPOSED~~ ORDER EXCLUDING TIME
CR No. 09-0442 JSW

1 counsel, in order to provide defense counsel with adequate time to review the discovery and
2 consult with the defendant. The government agreed to exclude time until June 4, 2009.

3
4 In addition, the defendant agrees to exclude for this period of time any time limits
5 applicable under 18 U.S.C. § 3161. The parties represent that granting the continuance, in order
6 to provide defense counsel with adequate time to review the discovery and consult with the
7 defendant, is necessary for continuity of defense counsel and effective preparation, taking into
8 account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that
9 the ends of justice served by granting such a continuance outweighed the best interests of the
10 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

11 SO STIPULATED:

12
13 JOSEPH P. RUSSONIELLO
United States Attorney

14
15 DATED: May 19, 2009

16
17 _____/s/
CYNTHIA M. FREY
Assistant United States Attorney

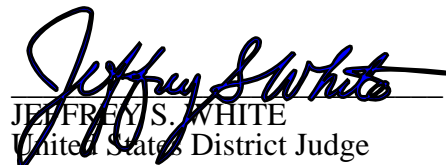
18 DATED: May 19, 2009

19 _____/s/
LOREN STEWART
Attorney for JOSE MUNROY-GARCIA

1
2 Based upon the representation of counsel and for good cause shown, the Court finds that
3 failing to exclude the time between May 14, 2009 and June 4, 2009 would unreasonably deny the
4 defendant continuity of counsel and would deny counsel the reasonable time necessary for
5 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §
6 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time
7 between May 14, 2009 and June 4, 2009 from computation under the Speedy Trial Act outweigh
8 the best interests of the public and the defendant in a speedy trial.

9 Therefore, IT IS HEREBY ORDERED that the time between May 14, 2009 and June 4,
10 2009 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. §
11 3161(h)(7)(A) and (B)(iv).

12
13 DATED: May 19, 2009 _____


JEFFREY S. WHITE
United States District Judge